Appl. No.  10/688,145
Amdt. dated 12/6/06
Reply to Office Action of 09/08/06

PATENT
Docket: 030349

## REMARKS

Claims 1-26 are pending in the present application.  Claims 1-26 have been examined and stand rejected.  No claims have been amended, cancelled, or added in this Response. Applicant believes that the present application is in condition for allowance, which prompt and favorable action is respectfully requested.

### Independent Claims 1, 11, 13, 14, 15, 16, and 26

Claims 1, 3, 4, 11, 13-16, 21, 22 and 26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nakamura *et al* (U.S. Publication No. 2002/0136278) ("Nakamura"). All of the pending independent claims in the application, therefore, are rejected under 35 U.S.C. §103(a) as unpatentable over Nakamura. Applicant respectfully submits that all of the limitations of any one of the independent claims are not taught or suggested by Nakamura or generally known in the art.

Referring to claim 1 as a representative claim of the independent claims, claim 1 recites a "symbol combiner operative to combine groups of demodulated symbols for at least two symbol periods of the first code channel to obtain recovered data symbols for a second code channel with a second spreading factor that is an integer multiple of the first spreading factor." Applicant respectfully submits that Nakamura does not teach or suggest this feature. Nakamura does not combine symbols of first code channel to **obtain** recovered data symbols for a second code channel. Nakamura determines a power ratio of one code channel to another code channel where the symbols for each code channel are obtained prior to the power ratio calculation. The power ratio is used to correct a damping factor not to obtain recovered data symbols for the second code channel. The damping factor is used  for interference cancellation after the recovered data symbols are obtained in Nakamura.

Nakamura describes a receiver apparatus with a despreader **201** having multiple fingers $201_1$ to $201_n$. A searcher detects multipath and provides the timing of each path to fingers $201_1$ to $201_n$. Each finger processes a different path, as is normally done for a rake receiver.  Within each finger, a despreader **201a** processes a receive signal with units **301** and **302** to obtain data for a DPCCH and further processes the received signal with units **303** and **304** to obtain data for a DPDCH.  A summer **201e** sums the DPDCH data from all fingers $201_1$ to $201_n$.  A summer **201f** sums the DPCCH data from all fingers $201_1$ to $201_n$.  Summers

**201e** and **201f** each combine data for one code channel across all fingers. The power ratio of the summed values is used to determine the damping factor. Accordingly, the symbols combined in Nakamura are not combined for first channel code to obtain symbols of second code channel.

Regarding claims 2-10, 12, and 17-25, these claims depend from one of the independent claims that applicants submits are allowable. Accordingly, claims 2-10, 12 and 17-25 are at least allowable for the reason that they depend from an allowable base claim.

## CONCLUSION

In light of the remarks contained herein, Applicant submits that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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